GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – State Tax Department - Surprise check conducted on Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore dist., on 21.12.2013 – Common disciplinary action initiated against all the erring officials by entrusting the case to COI for conducting Inquiry - Inquiry Report received – Inquiry report communicated – Written representations received - Imposed Punishment of withholding 6% of the pension for a period of one year against Sri Sk. Shabbir, Junior Assistant (Retd.), Commercial Tax Department and Sri Kinnera Venkateswarlu, Forest Section Officer (Retd.), Forest Department, under A.P.Revised Pension Rules, 1980 - Orders - Issued.

REVENUE (VIGILANCE-VI) DEPARTMENT

G.O.Rt.No.71 Dated:03.02.2025

Read the following: -

Ref: 1. The DG, ACB, Lr.C.No.49/DES-NNL/2013, dt.07.09.2015.
2. The DG, ACB, Lr.Rc.No.162/RCT-REG/2016, dt.22.01.2018.
3. G.O.Ms.No.293, Revenue (Vig.II) Dept., dt.06.06.2018.
4. G.O.Rt Nos.911 to 913, Revenue (Vig.II) Dept., dt.27.08.2019.
5. G.O.Rt.No.360, Revenue (Vig.II) Dept., dt.19.03.2020.
6. Govt.Memo.No.19400/Vig.II(3)/2015, dt.18.05.2020.
7. Govt.Memo.No.19400/Vig.II(3)/2015, dt.16.01.2021.
8. G.O.Rt.No.277, Revenue (Vig.II) Dept.,dt.10.05.2021.
9. D.O.Lr.No.57/COI-KVR/2021, dt.31.10.2022.
10. Govt.Memo No.19400/Vig.II(3)/2015, dt.05.06.2023.
11. From the CCST., Lr.No.V1/211/2016, dt.20.05.2024.
12. G.O.Rt.No.569, Revenue (Vig.II) Dept., dt.21.08.2024.
13. G.O.Rt.No.570, Revenue (Vig.II) Dept., dt.21.08.2024.
14. Govt.Memo No.19400/Vig.II(3)/2015-5, dt.21-8-2024.
15. Govt.Memo No.19400/Vig.II(3)/2015-6, dt.2-8-2024.
16. Representation of Sri Sk.Shabbir, Jr.Asst., CT Dept., and Sri K. Venkateswarlu, Forest Section Officer, dt.04.09.2024.

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O R D E R:

Whereas, the Director General, ACB in his letter dated 07.09.2015 has informed that a surprise check was conducted by the ACB at the Integrated Check Post, B.V.Palem, Tada Mandal, SPSR Nellore district on 21.12.2013. During the check, it was found that certain irregularities committed by the staff from seven Departments (Transport, Prohibition & Excise, Commercial Tax, Forest, Mines & Geology, Industries & Commerce, Agricultural & Marketing and Animal Husbandry) working at Check Post. The DG, ACB has recommended that to issue common disciplinary proceedings against 32 Suspected Officers from these Departments for imposing major penalties.

2. Whereas, the Government have examined the matter and initiated disciplinary proceedings against the 32 SOs in G.O.Ms.No.293, Revenue (Vig-II) Dept., dt.06.06.2018 and framed article of charges against them vide G.O.Rt.No.751 to 782, Revenue (Vig-II) Dept., dated 06.06.2018. The Charged Officers submitted their WSDs and all the officers viz., Smt. P. Lakshmi Madhavi, Commercial Tax Officer and 29 others COs denied the charges in their Written Statements of Defence (WSDs).

3. Whereas, Government have appointed Sri J.Satyanarayana IPS (Retd), Member, Commissioners of Inquiries, as Inquiry Authority vide G.O.Rt.No.912,

(P.T.O)

Revenue (II) Dept., dt.27.08.2019 to inquiry into the article of charges framed against the Charged Officers. Later, the case was re-assigned to Sri T.A.Tripathi, IPS, Commissioner of Inquiries vide G.O.Rt.No.360, dt.19.03.2020. Subsequently, it was further re-assigned to Sri K.Venkata Rami Reddy, Member, Commissioner of Inquiries, through G.O.Rt.No.277, dt.10.05.2021, to inquire into the charges framed against Smt.P.Lakshmi Madhavi, Commercial Tax Officer and 29 others.

4. Whereas, Sri K.Venkata Rami Reddy, the Inquiry Authority has submitted his report to the Government on 31.10.2022. After following the due procedure, the Government have communicated the inquiry report to the Charged Officers through the Chief Commissioner of State Tax (CCST), Guntur, vide Govt.Memo.dt.05.06.2023 and requested to submit their written representation under Rule 21(2) of APCS (CC&A) Rules, 1991. The CCST has furnished the explanations of the Charged Officers vide reference 11th read above.

5. Government after detailed examination of the Inquiry Report and written representations submitted by the Charged Officers it is found that the Charged Officers were involved in collecting unauthorized payments ("Memolos") from vehicle crews, in collusion with other staff, during transit at the Integrated Check Post. The defense presented by the Charged Officers were deemed unsubstantiated and the charges were proven based on seized records and witness depositions. Therefore, the Government has decided to impose a penalty against the Charged Officers as per the provisions laid down in APCS (CC&A) Rules, 1991. Further action was dropped due to 4 years limitation under Rule 9 (2) (b) (ii) of A.P.Revised Pension Rules, 1980 against Sri A.Subbaiah, Attender, Animal Husbandary Dept., and Sir P.Murali, Head Constable, TR&B Dept., vide G.O.Rt.No.911, Revenue (Vig.II) Dept, dt.27-08-2019. Further Sri Karimullah Shaik, Attender, Transport Dept., was expired and further action abated vide G.O.Rt.No.782, Revenue (Vig-II) Dept., dt.15.12.2021. Sri Shaik Ejas Ahamad, P.C and Sri Shaik Rezwan Ahamed P.C, of Prohibition & Excise Dept., also expired and further action abated vide G.O.Rt.No.570, Revenue (Vig-II) Dept., dt.27.06.2022. Sri P.Hari Krishna, Jr.Assistant, & Sri A.Ramanaiah, Attender of CT Dept., are also expired and further action abated vide G.O.Rt.No.570, Revenue (Vig-II) Dept., dt.21.08.2024. Accordingly, Government imposed the penalties against 23 Charged Officers as the charges framed against them are held proved in the Inquiry vide G.O.Rt No.569, dated: 21.08.2024.

6. Whereas, Sri Sk.Shabbir, Jr.Asst., CT Dept., and Sri K.Venkateswarlu, Forest Section Officer were retired and it has been decided to impose punishment under A.P. Revised Pension Rules, 1980. Accordingly, in the reference 14th and 15th read above show cause notices has been issued to Sri Sk. Shabbir, Junior Assistant (Retired), CT Department and Sri Kinnera Venkateswarlu, Forest Section Officer(Retd), Forest Department to show cause as to why a penalty of 6% of cut in monthly pension for a period of one year shall not be imposed for the charges proved against them. In the reference 16th read above, both the charged officers have submitted their explanation requesting the Government to drop further action against them.

7. Government, after a detailed examination of the Inquiry report and representations of the Charged Officers confirmed the provisional decision and hereby impose a penalty of withholding 6% of the pension for a period of one year against Sri Sk.Shabbir, Junior Assistant (Retd.), Commercial Tax Department and Sri Kinnera Venkateswarlu, Forest Section Officer (Retd.), Forest Department under A.P.Revised Pension Rules, 1980 as charges framed against them are proved.

(Contd..3)

8. The Chief Commissioner of State Tax, Andhra Pradesh, shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PEEYUSH KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
The individuals (through the CCST., A.P., Guntur)
The Chief Commissioner State Tax., A.P., Guntur

Copy to:-

The Secretary to VC, A.P Vigilance Commission, Andhra Pradesh, Amaravati.
The TR&B Department, AP Secretariat for necessary action.
The EF,S&T Department, AP Secretariat for necessary action.
Sf / Sc.

//FORWARDED: BY ORDER// V. Srinivasa Rao
SECTION OFFICER